



UW-Madison Police Department

Policy: 1.1

SUBJECT: LAW ENFORCEMENT ROLE

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STANDARD: CALEA 1.1.1 – 1.1.4

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POLICY:

The UW-Madison Police Department shall establish and maintain an atmosphere that allows persons within the community to safely conduct a variety of activities that are in furtherance of the Mission of the University of Wisconsin-Madison. It is the policy of UW-Madison Police Department to comply with all United States treaty obligations on consular notification and access.

DEFINITIONS:

“Directive” refers to a specific course of action or mandate to perform a specific task.

“Foreign Diplomat” refers to a foreign government official appointed to conduct official negotiations and maintain political, economic, and social relations with other countries. This may include consular officers or ambassadors.

“Foreign National” refers to any person who is not a United States citizen. This includes individuals possessing a Resident Alien Registration Card and illegal immigrants.

PROCEDURE:

1.1.1.1 ROLES AND RESPONSIBILITIES

- A. The Department Mission and Vision shall be issued by the Chief of Police and modified as deemed necessary.
- B. To fulfill its Mission, the Department shall be dedicated to providing a quality work environment. The professional development of its members shall be ensured through effective training and leadership.
- C. The primary goal of the Department shall be to provide an appropriate level of safety, security, and service. All persons shall be served with respect and compassion. The Department shall nurture public trust by holding its members to the highest possible standards of performance and ethics.
- D. The professional responsibilities of Department members shall include the following: protecting life, safeguarding property, establishing crime prevention methods, investigating crime, apprehending offenders, preserving the peace and maintaining order, enforcing laws, responding to emergencies, advancing cooperative relationships with students, faculty, and staff, creating a sense of safety and security, accomplishing objectives within ethical and constitutional guidelines, and performing other services as required by the Chief of Police.
- E. The Department shall recognize and support the philosophy of community policing and service. Actions shall be driven by goals to enhance the quality of life, investigating problems as well as incidents, seeking solutions, and fostering a sense of security throughout the campus.
- F. To ensure the best delivery of service, the Department shall commit itself to continuous review, evaluation, and if necessary, modification of existing Departmental programs, operations, and policies.

1.1.1.2 OATH OF OFFICE ADMINISTRATION

- A. All officers shall take the "Oath of Office" prior to assuming sworn status. Sworn personnel shall abide by the "Oath of Office." The "Oath of Office" is a pledge to enforce the law and uphold the Constitution of the United States and the State of Wisconsin.
- B. The "Oath of Office" ceremony shall consist of:
 - 1. A formal "swearing-in," which is administered by the Chief of Police.
 - 2. A written oath signed by the employee. The signed oath shall be kept in the employee's personnel file.

1.1.2 CODE OF ETHICS—IACP "OATH OF HONOR"

- A. All personnel must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing. The following shall govern the administration of a code of ethics to sworn personnel.
- B. The Department adopts the International Association of Chiefs of Police "Oath of Honor" as a guideline for all personnel in the performance of their duties. All personnel shall abide by the "Oath of Honor."

The "Oath of Honor" is as follows:

On my honor, I will never betray my profession, my integrity, my character or the public trust.

I will always have the courage to hold myself and others accountable for our actions.

I will always uphold the constitution, my community, and the agency I serve.

- C. Ethics training for all personnel shall be conducted, at minimum, biennially.

1.1.3 CRIMINAL JUSTICE AND SOCIAL SERVICE DIVERSION PROGRAMS

- A. The role of the Department in criminal justice and social service diversion programs shall be both advisory and participatory in nature. Such programs may involve the following:
 - 1. Detoxification
 - 2. Drug Abuse
 - 3. Domestic Violence Diversion
 - 4. Juvenile Delinquency
 - 5. Mental Health
 - 6. Community Restorative Court
- B. Departmental involvement in diversion programs may be accomplished through one or more of the following:
 - 1. Serving on committees and advisory councils;
 - 2. Referring persons to available and appropriate resources;
 - 3. Testifying in conduct proceedings; and
 - 4. Processing civil infractions.
- C. Social service diversion may occur when persons commit minor conduct or procedural violations. Violators may be referred to mental health and substance abuse professionals when this course is deemed appropriate.
- D. Criminal Justice and Social Service Diversion Programs for juveniles are referenced in department policy 44.1 Juvenile Operations.

1.1.4 CONSULAR NOTIFICATION

The UW-Madison Police Department is required by the Vienna Convention on Consular Relations, other international treaties, and the U.S. Constitution Article VI to notify all foreign nationals of their right to have consular officials assist them. When encountering any individual believed to be a foreign national, the following requirements shall be observed:

- A. When foreign nationals are arrested or detained, they must be advised of the right to have their consular officials notified.

- B. In some cases, the nearest consular officials must be notified of the arrest or detention of a foreign national, regardless of the national's wishes.
- C. Consular officials have the right to visit a national who is in custody or detention, to converse and correspond with them, and to arrange for their legal representation.
- D. When a government official becomes aware of the death of a foreign national, consular officials must be notified. A fax sheet for consular notification of death, serious injury or illness can be accessed electronically.
- E. When a guardianship or trusteeship is being considered with respect to a foreign national who is a minor or incompetent, consular officials must be notified.
- F. When a foreign ship or aircraft wrecks or crashes, consular officials must be notified.
- G. The notification process must be conducted as soon as a determination has been made that the individual is a foreign national.

These are mutual obligations that also pertain to American citizens abroad. In general, officers should treat a foreign national as they would want an American citizen to be treated in a similar situation in a foreign country. This means prompt, courteous notification to the foreign national of the possibility of the consular assistance and prompt, courteous notification to the foreign national's nearest consular officials so that they can provide whatever services they deem appropriate.

There are special guidelines for the detention of foreign nationals. The information can be found by checking the U.S. State Department web site.

Foreign diplomats may have immunity from arrest and/or charges. The information can be found by checking the U.S. State Department web site.

- H. The following specifies the procedures for completing consular notification:
 1. Determine the foreign national's country. In the absence of other information, assume this is the country on the individual's passport. Absent citizen documentation or other evidence to the contrary, accept the foreign national's own statement as to their nationality.
 2. Determine whether or not this country is a mandatory notification country. A list of mandatory notification countries is listed on the United States Department of State [website](#). If the foreign national's country is not on the list of "mandatory notification" countries, they may be from an "upon request" country.
 - a. For foreign nationals whose country is on the list of mandatory notification countries:
 1. Notify the nearest consulate of the foreign national's country via fax, using the form available, immediately or as soon as reasonably possible. Notify the consulate even if the foreign national does not want notification. Contact information for consulates is available at the Department of State website.
 2. Never tell the consular officer that the foreign national has requested asylum. If the consular officer insists on information the foreign national does not want disclosed, contact the Department of State at (202) 647-6575.
 3. Inform the foreign national that you have notified their consulate. You may use the sample statement, available in several languages at <https://travel.state.gov/content/travel/en/consularnotification.html>
 4. Make a note of the completed notification in the report narrative and attach the fax and fax confirmation sheet to the incident report in RMS.
 - b. For foreign nationals whose country is not on the list of mandatory notification countries:
 1. As soon after the arrest as reasonably possible, inform the foreign national that they may have a consular officer notified of the arrest or detention. You may use the sample statement, available in several languages, at <https://travel.state.gov/content/travel/en/consularnotification.html>.
 2. Make note of the foreign national's decision in the report narrative.
 3. If the foreign national requests notification, follow the procedures for mandatory notification countries listed above.